

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CHARTIS SPECIALTY INSURANCE CO.  
 f/k/a AMERICAN INTERNATIONAL  
 SPECIALTY LINES INSURANCE CO.,

Plaintiff,

vs.

APCO CONSTRUCTION, et. al.

Defendants.

Case No. 2:13-cv-00361-APG-NJK

ORDER

(Docket No. 146)

Pending before the Court is Plaintiff's Motion to Further Extend Stay. Docket No. 146. The Court finds this matter properly resolved without oral argument. *See* Local Rule 78-2.

The Court has inherent power to control its docket, including the discretion to stay proceedings. *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936). The determination of whether to stay proceedings is best determined by weighing the competing interests of the parties and of the Court. *Id.*

"Among those competing interests are the possible damage which may result from the granting of a stay, the hardship or inequity which a party may suffer in being required to go forward, and the orderly course of justice measured in terms of the simplifying or complicating of issues, proof, and questions of law which could be expected to result from a stay."

*Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9<sup>th</sup> Cir. 2005); citing *Landis*, 299 U.S. at 268.

Here, Plaintiff submits that, during the previously-imposed Stay period, "a settlement was negotiated and agreed to that globally resolves this action, the Underlying Action, and the bankruptcy proceeding filed by Gemstone LVS, LLC ..." Docket No. 146, at 3. The parties need more time,

1 however, in order to make the payments necessary to fund the settlement, which Plaintiff submits will  
2 occur on or about December 1, 2014, and to file dismissals of all claims asserted in all actions, including  
3 the instant case, which Plaintiff asserts will occur within approximately thirty business days of the last  
4 settlement payment. *Id.* Plaintiff therefore asks the Court to further extend the stay in this matter to  
5 March 1, 2015, in order to allow the parties to complete these tasks. *Id.*

6 Based on the foregoing, and good cause appearing therefore,

7 IT IS ORDERED that Plaintiff's Motion to Further Extend Stay, Docket No. 146, is  
8 **GRANTED.** This matter is stayed in its entirety until **March 1, 2015**, or until the stipulation for  
9 dismissal is filed in this case, whichever occurs first.

10 IT IS SO ORDERED.

11 DATED: October 28, 2014.

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16 NANCY J. KOPPE  
17 United States Magistrate Judge  
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